

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

Track Three Cases

**MDL No. 2804
Case No. 17-md-2804
Judge Dan Aaron Polster**

**DEFENDANTS' MOTION TO EXCLUDE
THE OPINIONS AND TESTIMONY OF CRAIG MCCANN**

Defendants¹ hereby move for an order granting their motion to exclude the opinions and testimony of Craig McCann in their entirety under Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993) and its progeny. As described in the accompanying memorandum, McCann's opinions are unreliable and do not fit the facts in this case. Accordingly, McCann's opinions and testimony should be excluded in their entirety.

Dated: July 23, 2021

Respectfully submitted,

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¹ Defendants (or "Pharmacy Defendants") are Walgreens Boots Alliance, Inc., Walgreen Co., and Walgreen Eastern Co., Inc.; CVS Indiana, L.L.C., CVS Rx Services, Inc., CVS Pharmacy, Inc., CVS TN Distribution, L.L.C., and Ohio CVS Stores, L.L.C.; Rite Aid Hdqtrs. Corp., Rite Aid of Ohio, Inc., Rite Aid of Maryland, Inc. d/b/a Rite Aid Mid-Atlantic Customer Support Center, and Eckerd Corp. d/b/a Rite Aid Liverpool Distribution Center; Giant Eagle, Inc. and HBC Service Company; and Walmart Inc.

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